**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:09cv201-MU**

DAVID G. LORUSSO,	)
	)
Plaintiff,	)
	)
v.	)
	)
PIEDMONT HEALTHCARE, P.A.,	)
	)
Defendant.	)
	)

THIS MATTER is before the court upon a Complaint filed by Plaintiff pro se. Defendant has filed a Motion for Partial Dismissal pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure seeking dismissal of the Third, Fourth and Fifth Causes of Action in the Complaint for failure to state a claim on which relief can be granted.

It appears that Defendant may be entitled to a partial dismissal in this action as a matter of law. Therefore, the Plaintiff is directed to file a response as described below:

TO THE PLAINTIFF, DAVID G. LORUSSO, READ THE FOLLOWING VERY CAREFULLY:

You are to file a brief written argument opposing the Defendant's brief supporting the Motion for Partial Dismissal. This argument must respond to the substantive arguments in Defendant's motion.

Within fourteen days of the date of entry of this Order, the Plaintiff must submit the brief or request an extension of the deadline.

You are hereby advised that you have fourteen (14) days from the filing of this Order in which to file your response to the Motion for Partial Dismissal. If you fail to respond to this motion, the court will proceed to decide the matter. A copy of the response must be served on the Defendant and a certificate of service must be filed with the court showing that a copy has been sent to counsel for the Defendant.

IT IS THEREFORE ORDERED that Plaintiff has fourteen (14) days from the filing of this Order in which to respond to Defendant's Motion for Partial Dismissal.

The Clerk is directed to certify copies of this Order to Plaintiff and counsel for Defendants. The Clerk is specifically directed to send Plaintiff's copy by **certified mail, return receipt requested**.

Signed: July 7, 2009

Graham C. Mullen
United States District Judge